

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

In re:

Lorraine Dennise Erwin

Gary Richard Erwin

Debtor(s).

Case No. 10-90281-E-7

ORDER FOR PAYMENT OF UNCLAIMED FUNDS

This matter comes before the Court pursuant to 11 U.S.C. §347(a), 28 U.S.C. §2042, and the application of Gary Richard Erwin, seeking payment of funds previously unclaimed by Saxon Mortgage Services, Inc. (creditor/claimant's name) in the above-entitled case. It appears from the application and supporting documentation that Gary Richard Erwin is entitled to the funds paid into court'

The court authorized the Debtors to prosecute an objection to Proof of Claim 3-1 and an adversary proceeding to determine whether U.S. Bank, National Association as trustee for the MSM 2006-14SL passthrough certificates, ("U.S. Bank, NA, Trustee") for which Saxon Mortgage Services, Inc. ("Saxon") was the loan servicer which filed Proof of Claim 3-1 for U.S. Bank, NA, as Trustee, had an allowable claim in this case and whether there was an enforceable lien encumbering Debtor's Property for such claim.

The court entered judgment in Adversary Proceeding 21-9005 that the deed of trust identified securing the obligation listed in Proof of Claim 3-1 was void, unenforceable, and of no force and effect. 21-9005; Dckt. 89. The court's findings and conclusions in granting Plaintiff-Debtors Lorraine Erwin's and Gary Erwin's Motion for Entry of Default Judgment include that the debt upon which Proof of Claim 3-1 was based has been cancelled and there is no obligation owed thereon by Debtors. *Id.*; Civil Minutes, Dckt. 78.

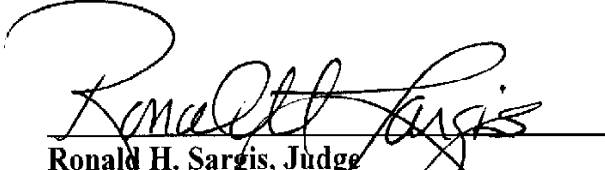
IT IS ORDERED that the Clerk is directed to pay \$23,902.79 from the Unclaimed Funds to:

Gary Richard Erwin
1320 Oak Leaf Cir
Oakdale, CA. 95361

The funds may be disbursed only after 14 calendar days from the entry of this court's order to allow for the appeal period to pass.

EDC 6-950 (Revised 9/25/19)

Dated: February 23, 2023**By the Court**


Ronald H. Sargis, Judge
United States Bankruptcy Court